

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

**(1) DOUGLAS W. BRANT d/b/a
BETHANY MEDICAL CLINIC,**

Plaintiff,

vs.

**(1) STATE FARM FIRE AND
CASUALTY COMPANY,**

Defendant

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CASE NO. CIV-12-656-F

JURY DEMANDED

**DEFENDANT STATE FARM FIRE AND CASUALTY
COMPANY'S NOTICE OF REMOVAL**

TO THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT:

PLEASE TAKE NOTICE that Defendant, State Farm Fire and Casualty Company ("State Farm"), hereby files its Notice of Removal ("Notice"). In support hereof, State Farm would respectfully show the Court as follows:

1. On or about April 9, 2012, Douglas W. Brant d/b/a Bethany Medical Clinic, Plaintiff (herein so called), filed its Original Petition ("Petition") in the matter entitled *Douglas W. Brant d/b/a Bethany Medical Clinic v. State Farm Fire and Casualty Company*, in the District Court of Oklahoma County, State of Oklahoma. A copy of the Petition is attached as Exhibit "1" hereto, incorporated herein, and made a part hereof for all purposes.

2. On or about June 4, 2012, Plaintiff filed its Amended Petition, a copy of which is attached as Exhibit "2" hereto, incorporated herein, and made a part hereof for all purposes.

NATURE OF THE SUIT

3. This suit involves a dispute over State Farm's alleged failure to pay Plaintiff pursuant to a claim for benefits relative to a policy of insurance. The Plaintiff alleges that State Farm breached the insurance contract and committed bad faith.

BASIS OF REMOVAL

4. Plaintiff is a citizen of the State of Oklahoma. State Farm is a corporation organized in Illinois, with its principal place of business in Bloomington, McLean County, Illinois, and therefore, is a citizen of the State of Illinois.

5. This Court has original jurisdiction over the matters made the basis of this lawsuit pursuant to 28 U.S.C. § 1332 in that Plaintiff is an Oklahoma citizen and is completely diverse from State Farm.

6. Additionally, the amount in controversy exceeds the sum of \$75,000.00 exclusive of interest and costs. On page 6 of Plaintiff's Amended Petition, Plaintiff expressly states that it seek damages in an amount in excess of the amount required for diversity jurisdiction (Exhibit "2").

7. Additionally, State Farm files contemporaneously herewith all pleadings or other documents on file in the State Court matter, including a copy of the state court's Docket Sheet, attached hereto as Exhibit "3," with the exception of Plaintiff's Original Petition attached hereto as Exhibit "1" and Plaintiff's Amended Petition attached hereto as Exhibit "2."

WHEREFORE, PREMISES CONSIDERED, State Farm Fire and Casualty Company, Defendant, pursuant to and in conformity with the requirements set forth in 28 U.S.C. § 1446 removes Case No. CJ-2012-2099, *Douglas W. Brant d/b/a Bethany Medical Clinic v. State Farm Fire and Casualty Company*, in the District Court of Oklahoma County, State of Oklahoma, on this, the 8th day of June, 2012.

Respectfully submitted,

By /s/Daniel C. Andrews
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Oklahoma City, Oklahoma 73104
Telephone: (405) 601-8713
Facsimile: (405) 232-8330
**ATTORNEYS IN CHARGE FOR,
DEFENDANT STATE FARM FIRE AND
CASUALTY COMPANY**

**OF COUNSEL:
JONES, ANDREWS & ORTIZ, P.C.**

CERTIFICATE OF SERVICE

I hereby certify that on June 8th, 2012, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Mr. David A. Christoffel
ARGUELLO, HOPE & ASSOCIATES, PLLC
1110 Nasa Parkway, Suite 620
Houston, Texas 77058

/s/ Daniel C. Andrews
Daniel C. Andrews